

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
PELVIC REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION

MDL No. 2325

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -136)

On February 7, 2012, the Panel transferred 80 civil action(s) to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 844 F.Supp.2d 1359 (J.P.M.L. 2012). Since that time, 998 additional action(s) have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R Goodwin.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of West Virginia for the reasons stated in the order of February 7, 2012, and, with the consent of that court, assigned to the Honorable Joseph R Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

Nov 25, 2013

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

EXHIBIT

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**IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
 PELVIC REPAIR SYSTEM PRODUCTS  
 LIABILITY LITIGATION**

MDL No. 2325

**SCHEDULE CTO-136 – TAG-ALONG ACTIONS**

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
MISSOURI WESTERN			
MOW	3	13-05143	Schulte et al v. American Medical Systems, Inc. et al
PENNSYLVANIA EASTERN			
PAE	2	13-06545	MOORE et al v. AMERICAN MEDICAL SYSTEMS, INC.
PAE	2	13-06546	MACKEY et al v. AMERICAN MEDICAL SYSTEMS, INC.
PAE	2	13-06547	YOUNG-ALEXANDER v. AMERICAN MEDICAL SYSTEMS, INC.
PAE	2	13-06548	KRONER v. AMERICAN MEDICAL SYSTEMS, INC.
TEXAS SOUTHERN			
<del>TXS</del>	4	<del>13-03308</del>	<del>Inocencia Nerio, et al. v. American Medical Systems, Inc.</del> Vacated 11/25/13
<del>TXS</del>	4	<del>13-03309</del>	<del>Melissa Nicholson, et al. v. American Medical Systems, Inc., et al</del> Vacated 11/25/13
TEXAS WESTERN			
TXW	3	13-00352	Trevino et al v. American Medical Systems, Inc. et al
TXW	3	13-00356	Gonzalez et al v. American Medical Systems, Inc. et al
TXW	3	13-00357	Martinez et al v. American Medical Systems, Inc. et al
TXW	3	13-00358	Gutierrez et al v. American Medical Systems, Inc. et al
TXW	3	13-00359	Crawson-Clifford et al v. American Medical Systems Holdings, Inc. et al
TXW	3	13-00360	Marshall et al v. American Medical Systems, Inc. et al
TXW	3	13-00361	Sherwood et al v. American Medical Systems, Inc. et al
TXW	3	13-00362	Jordan et al v. American Medical Systems, Inc. et al



Activity in Case MDL No. 2325 IN RE: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation CTO Final Minute Order (Clerks)

JPMLCMECF

to:

JPMLCMDECF

11/25/2013 11:08 AM

Hide Details

From: JPMLCMECF@jpml.uscourts.gov

To: JPMLCMDECF@jpml.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

**United States**

**United States Judicial Panel on Multidistrict Litigation**

**Notice of Electronic Filing**

The following transaction was entered on 11/25/2013 at 11:08 AM EST and filed on 11/25/2013

**Case Name:** IN RE: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation

**Case Number:** MDL No. 2325

**Filer:**

**Document Number:** No document attached

**Docket Text:**

\*\*\*TEXT ONLY ENTRY\*\*\*

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-136)**  
Finalized on 11/25/13. Please see pleading ([1283] in MDL No. 2325, 3 in MOW/3:13-cv-05143, 3 in PAE/2:13-cv-06545, 3 in PAE/2:13-cv-06546, 3 in PAE/2:13-cv-06547, 3 in PAE/2:13-cv-06548, 3 in TXW/3:13-cv-00352, 3 in TXW/3:13-cv-00356, 3 in TXW/3:13-cv-00357, 3 in TXW/3:13-cv-00358, 3 in TXW/3:13-cv-00359, 3 in TXW/3:13-cv-00360, 3 in TXW/3:13-cv-00361, 3 in TXW/3:13-cv-00362).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Martinez et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00357

Filer:

Document Number: No document attached

Docket Text:

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Case 2:12-md-02325 Document 975 Filed 11/25/13 Page 5 of 45 PageID #: 13266

Case Name: Marshall et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00360

Filer:

Document Number: No document attached

Docket Text:

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Case Name: YOUNG-ALEXANDER v. AMERICAN MEDICAL SYSTEMS, INC.

Case Number: PAE/2:13-cv-06547

Filer:

Document Number: No document attached

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Case Name: Trevino et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00352

Filer:

Document Number: No document attached

Docket Text:

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Case Name: Schulte et al v. American Medical Systems, Inc. et al

Case Number: MOW/3:13-cv-05143



**Filer:**

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**Case Name:** Jordan et al v. American Medical Systems, Inc. et al

**Case Number:** TXW/3:13-cv-00362

**Filer:**

**Document Number:** No document attached

**Docket Text:**

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Case Name: Crawson-Clifford et al v. American Medical Systems Holdings, Inc. et al

Case Number: TXW/3:13-cv-00359

Filer:

Document Number: No document attached

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Case Name: KRONER v. AMERICAN MEDICAL SYSTEMS, INC.

Case Number: PAE/2:13-cv-06548

Filer:

Document Number: No document attached



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**Case Name:** MOORE et al v. AMERICAN MEDICAL SYSTEMS, INC.

**Case Number:** PAE/2:13-cv-06545

**Filer:**

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Case Name: MACKEY et al v. AMERICAN MEDICAL SYSTEMS, INC.

Case Number: PAE/2:13-cv-06546

Filer:

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Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Gutierrez et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00358

Filer:

Document Number: No document attached

Docket Text:

\*\*\*TEXT ONLY ENTRY\*\*\*

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-136)**  
Finalized on 11/25/13. Please see pleading ( [1283] in MDL No. 2325, 3 in MOW/3:13-cv-05143, 3 in PAE/2:13-cv-06545, 3 in PAE/2:13-cv-06546, 3 in PAE/2:13-cv-06547, 3 in PAE/2:13-cv-06548, 3 in TXW/3:13-cv-00352, 3 in TXW/3:13-cv-00356, 3 in TXW/3:13-cv-00357, 3 in TXW/3:13-cv-00358, 3 in TXW/3:13-cv-00359, 3 in TXW/3:13-cv-00360, 3 in TXW/3:13-cv-00361, 3 in TXW/3:13-cv-00362).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Gonzalez et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00356

Filer:

Document Number: No document attached

Docket Text:

\*\*\*TEXT ONLY ENTRY\*\*\*

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-136)**  
Finalized on 11/25/13. Please see pleading ( [1283] in MDL No. 2325, 3 in MOW/3:13-cv-05143, 3 in PAE/2:13-cv-06545, 3 in PAE/2:13-cv-06546, 3 in PAE/2:13-cv-06547, 3 in PAE/2:13-cv-06548, 3 in TXW/3:13-cv-00352, 3 in TXW/3:13-cv-00356, 3 in TXW/3:13-cv-00357, 3 in TXW/3:13-cv-00358, 3 in TXW/3:13-cv-00359, 3 in TXW/3:13-cv-00360, 3 in TXW/3:13-cv-00361, 3 in TXW/3:13-cv-00362).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

**Associated Cases:** MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

**Case Name:** Sherwood et al v. American Medical Systems, Inc. et al

**Case Number:** TXW/3:13-cv-00361

**Filer:**

**Document Number:** No document attached

**Docket Text:**

\*\*\*TEXT ONLY ENTRY\*\*\*

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-136)**  
Finalized on 11/25/13. Please see pleading ( [1283] in MDL No. 2325, 3 in MOW/3:13-cv-05143, 3 in PAE/2:13-cv-06545, 3 in PAE/2:13-cv-06546, 3 in PAE/2:13-cv-06547, 3 in PAE/2:13-cv-06548, 3 in TXW/3:13-cv-00352, 3 in TXW/3:13-cv-00356, 3 in TXW/3:13-cv-00357, 3 in TXW/3:13-cv-00358, 3 in TXW/3:13-cv-00359, 3 in TXW/3:13-cv-00360, 3 in TXW/3:13-cv-00361, 3 in TXW/3:13-cv-00362).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

**Associated Cases:** MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

No public notice (electronic or otherwise) sent because the entry is private



Activity in Case MDL No. 2325 IN RE: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation Conditional Transfer Order Finalized  
JPMLCMECF

to:

JPMLCMDECF

11/25/2013 11:04 AM

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United States

United States Judicial Panel on Multidistrict Litigation

#### Notice of Electronic Filing

The following transaction was entered on 11/25/2013 at 11:03 AM EST and filed on 11/25/2013

**Case Name:** IN RE: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation

**Case Number:** MDL No. 2325

**Filer:**

**Document Number:** 1283

**Docket Text:**

**CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: pldg. ([1258])**



Case 2:12-md-02325 Document 975 Filed 11/25/13 Page 14 of 45 PageID #: 13275

*in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)*  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

**Associated Cases:** MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

**Case Name:** Martinez et al v. American Medical Systems, Inc. et al  
**Case Number:** TXW/3:13-cv-00357  
**Filer:**  
**Document Number:** 3

**Docket Text:**

**CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: pldg. ( [1258]**  
*in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)*  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

**Associated Cases:** MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

**Case Name:** Marshall et al v. American Medical Systems, Inc. et al  
**Case Number:** TXW/3:13-cv-00360  
**Filer:**  
**Document Number:** 3

**Docket Text:**

**CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: pldg. ( [1258]**  
*in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)*  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

**Associated Cases:** MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-



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06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: YOUNG-ALEXANDER v. AMERICAN MEDICAL SYSTEMS, INC.  
Case Number: PAE/2:13-cv-06547  
Filer:  
Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *p/dg.* ( [1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Trevino et al v. American Medical Systems, Inc. et al  
Case Number: TXW/3:13-cv-00352  
Filer:  
Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *p/dg.* ( [1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Schulte et al v. American Medical Systems, Inc. et al  
Case Number: MOW/3:13-cv-05143  
Filer:  
Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Jordan et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00362

Filer:

Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Crawson-Clifford et al v. American Medical Systems Holdings, Inc. et al

Case Number: TXW/3:13-cv-00359

Filer:

Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: KRONER v. AMERICAN MEDICAL SYSTEMS, INC.  
Case Number: PAE/2:13-cv-06548  
Filer:  
Document Number: 3

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ( [1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: MOORE et al v. AMERICAN MEDICAL SYSTEMS, INC.  
Case Number: PAE/2:13-cv-06545  
Filer:  
Document Number: 3

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ( [1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: MACKAY et al v. AMERICAN MEDICAL SYSTEMS, INC.  
Case Number: PAE/2:13-cv-06546  
Filer:  
Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Gutierrez et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00358

Filer:

Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Gonzalez et al v. American Medical Systems, Inc. et al

Case Number: TXW/3:13-cv-00356

Filer:

Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ([1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

Case Name: Sherwood et al v. American Medical Systems, Inc. et al  
Case Number: TXW/3:13-cv-00361  
Filer:  
Document Number: 3

**Docket Text:**

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-136) - 13 action(s) re: *pldg.* ( [1258] in MDL No. 2325, 1 in MOW/3:13-cv-05143, 1 in PAE/2:13-cv-06545, 1 in PAE/2:13-cv-06546, 1 in PAE/2:13-cv-06547, 1 in PAE/2:13-cv-06548, 1 in TXW/3:13-cv-00352, 1 in TXW/3:13-cv-00356, 1 in TXW/3:13-cv-00357, 1 in TXW/3:13-cv-00358, 1 in TXW/3:13-cv-00359, 1 in TXW/3:13-cv-00360, 1 in TXW/3:13-cv-00361, 1 in TXW/3:13-cv-00362)  
Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/25/2013.

Associated Cases: MDL No. 2325, MOW/3:13-cv-05143, PAE/2:13-cv-06545, PAE/2:13-cv-06546, PAE/2:13-cv-06547, PAE/2:13-cv-06548, TXW/3:13-cv-00352, TXW/3:13-cv-00356, TXW/3:13-cv-00357, TXW/3:13-cv-00358, TXW/3:13-cv-00359, TXW/3:13-cv-00360, TXW/3:13-cv-00361, TXW/3:13-cv-00362 (TL)

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Murray Hill, NJ 07974

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Minneapolis, MN 55411

Coloplast Manufacturing US, LLC

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C.R. Bard, Inc.  
730 Central Avenue  
Murray Hill, NJ 07974

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Mentor Worldwide LLC  
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**TXW/3:13-cv-00359 Notice will not be electronically mailed to:**

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Minneapolis, MN 55411

Coloplast Manufacturing US, LLC  
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Minneapolis, MN 55411

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Bloomington, IN 47402-0489

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New Brunswick, NJ 08933

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201 Mentor Drive  
Santa Barbara, CA 93111

Neomedic, Inc.  
c/o Yadira Perez, Registered Agent  
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Coral Gables, FL 33134

Synovis Lifetechnologies, Inc.  
2575 University Avenue West  
St. Paul, MN 55114-1024

Lauren Colton  
100 International Drive, Suite 2000  
Baltimore, MD 21202

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**TXW/3:13-cv-00358 Notice will not be electronically mailed to:**

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One Boston Scientific Place  
Natick, MA 01760

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730 Central Avenue  
Murray Hill, NJ 07974

CL Medical, Inc.

165 Washington Street  
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Winchester, MA 01890

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Minneapolis, MN 55411

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Covidien  
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Mansfield, MA 02048

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Sommerville, NJ 08876

Ethicon, LLC  
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St. Paul, MN 55114-1024

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013399841181b4619ebe7dc1e5ca2106464e52f004df7aa767f4e691da1b]]

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

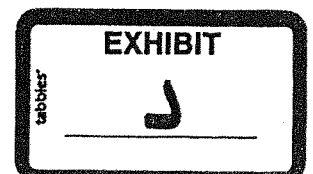
IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327
THIS DOCUMENT RELATES TO ALL CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**AMENDED CROSS NOTICE OF VIDEO DEPOSITION OF DANIEL J. CHRISTENSEN**

**TO: ALL COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that the deposition of DANIEL J. CHRISTENSEN will be taken jointly in connection with *In Re American Medical Systems, Inc. MDL No. 2325, Pelvic Repair System Products Liability Litigation*, upon oral examination on January 28, 2014, at 9:00 a.m. CST, at 701 Brazos Street, Suite 420, Austin, Texas.

**PLEASE TAKE FURTHER NOTICE** that in accordance with Rule 30 of the Federal Rules of Civil Procedure, the procedures set forth *In Re: Ethicon Inc., Pelvic Repair System Products Liability Litigation*, MDL No. 2327, Defendants Ethicon Inc. and Johnson & Johnson hereby cross-notice this deposition for any and all purposes permitted by the Federal Rules of Civil Procedure, the rules of the MDL Court, and any other state or local rules that apply to this action. Defendants Ethicon, Inc. and Johnson & Johnson further state that this deposition shall be conducted in accordance with and subject to the Protective Orders entered in *In Re American Medical Systems, Inc. MDL No. 2325, Pelvic Repair System Products Liability Litigation* and in *In Re: Ethicon Inc., Pelvic Repair System Products Liability Litigation*, MDL No. 2327.



This deposition will be taken before a person authorized by law to administer oaths and video-taped.

Dated: January 22, 2014

Respectfully submitted,

/s/Christy D. Jones  
Christy D. Jones  
BUTLER SNOW LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
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/s/ David B. Thomas  
David B. Thomas (W.Va. Bar #3731)  
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P.O. Box 3824  
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COUNSEL FOR DEFENDANTS  
ETHICON, INC. AND  
JOHNSON & JOHNSON

**CERTIFICATE OF SERVICE**

I hereby certify that on January 22, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to CM/ECF participants registered to receive service in this MDL.

/Christy D. Jones  
Christy D. Jones

ButlerSnow 18985125v1

Case 2:12-md-02327 Document 915-1 Filed 11/05/13 Page 1 of 9 PageID #: 10697

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

Plaintiff	)	
v.	)	Civil Action No. MDL No. 2327
In re: Ethicon, Inc. Pelvic Repair System Products Liability Litigation	)	(If the action is pending in another district, state where:
Defendant	)	Southern District of West Virginia )

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Daniel J. Christensen, MedStar Funding, 7301 RR 620 North, Suite 155-344, Austin, Texas 78726

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Place: Laura Dixon c/o Butler Snow 1020 Highland Colony Parkway, Suite 1400 Ridgeland, MS 39157	Date and Time:
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☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

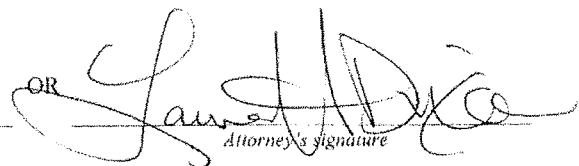
Place:	Date and Time:
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The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 11/5/13

CLERK OF COURT

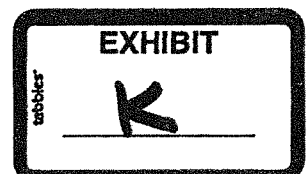
Signature of Clerk or Deputy Clerk

OR  Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Laura Dixon, Butler Snow, 1020 Highland Colony Parkway, Suite 1400, who issues or requests this subpoena, are:  
Ridgeland, MS 39157 Telephone: 601-948-5711 laura.dixon@butlersnow.com

Exhibit A



Case 2:12-md-02327 Document 915-1 Filed 11/05/13 Page 2 of 9 PageID #: 10698

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. MDL No. 2327

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)****(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Case 2:12-md-02327 Document 915-1 Filed 11/05/13 Page 4 of 9 PageID #: 10700

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2327

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THIS DOCUMENT RELATES TO ALL CASES

**EXHIBIT A TO SUBPOENA  
FOR PRODUCTION OF DOCUMENTS TO DANIEL J. CHRISTENSEN,  
MEDSTAR FUNDING**

**INSTRUCTIONS**

For purposes of this Subpoena to Produce Documents, Information or Objects and the document requests contained herein, the term “document” includes all writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained related to Otto Fisher, Physicians Surgical Group, One Point Orthopedic and Neurosurgical Group, and any other entity operated by Mr. Fisher, to the extent that the documents involve, arise from, or are pertinent to treatment rendered to or arranged for Plaintiffs in this litigation. *See* Fed. R. Civ. P. 34(a). *See also In re American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation*, MDL No. 2325, PTO No. 88 (S.D.W. Va. Oct. 11, 2013).

If any responsive information, document or thing is withheld on the ground that it is privileged, that information, document or thing shall be described with sufficient particularity pursuant to Fed. R. Civ. P. 26(b)(5) (including date, author, recipient(s), subject matter, and factual and legal basis for privilege) to permit a determination as to whether respondent has demonstrated entitlement to and application for the protection invoked.

Case 2:12-md-02327 Document 915-1 Filed 11/05/13 Page 5 of 9 PageID #: 10701

These instructions and definitions should be construed to require responses based upon the knowledge of, and information available to, the responding party as well as agents and representatives.

These Requests include all documents and information in the possession, custody, or control, of you, your agents, and your representatives, including but not limited to your attorneys.

If you object to any of the definitions or instructions applicable to these Requests, state your objection in your response and clearly indicate whether you are complying with the definition or instruction, notwithstanding your objection.

For each document requested, produce the entire document, including all appendices, exhibits or other attachments. For each document requested, produce all non-identical copies of a document. Any alteration of a document, including but not limited to any handwriting, underlining, highlighting, stamps, drafts, revisions or modifications, is a separate and distinct document and must be produced.

If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without disclosing the privileged materials. If a privilege is asserted with regard to part of the material contained in a document, you must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, you shall identify, as to each document, the reason for redaction or alteration, the date of redaction or alteration and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted documents.

If you object to any part of any Request, you shall produce all documents that are responsive to the portions of any of the Requests to which the objection does not apply.

You shall construe the request for a document to include a request for all copies, versions and drafts of the requested document, and all transmittal sheets, cover letters, enclosures or attachments relating to the requested document.

**DEFINITIONS**

A. “The bellwether plaintiffs” or “a bellwether plaintiff” shall mean Carolyn Lewis, Tonya Edwards, and Jo Huskey, individually or collectively.

B. “Ethicon and J&J” shall mean Ethicon, Inc. and Johnson and Johnson and any of their directors, agents, servants, employees, or representatives.

C. “Document” is synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a). A draft or non-identical copy is a separate document.

D. “Funds” or “Funding” shall mean any offer of payment, compensation, and/or other incentive, including monetary or non-monetary benefits.

E. “Identify” when referring to a person means to give, to the extent known, the person’s full name and present or last known address. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

F. “Identify” when referring to documents means to give, to the extent known, the

1. type of document,
2. general subject matter,
3. author(s), addressee(s), and recipients(s), and
4. date the document was prepared.

G. “Person” means any natural person or any business, legal or governmental entity or association.

H. “You” and “Your” shall mean Medstar Funding and its employees, agents, officers, directors, members, shareholders, managers, partners, attorneys and any other individual acting or purporting to act on its behalf, including Daniel J. Christensen.

**DOCUMENTS TO BE PRODUCED**

1. Any and all documents referencing mesh revision or excision surgery in the case of a bellwether plaintiff including, but not limited to:

- a. A copy of any agreement to provide funding between you and the funding recipient;
- b. Documents referencing the amount of funds disbursed by you to the funding recipient to date;
- c. A copy of any and all correspondence between you and the funding recipient; and
- d. A copy of any and all correspondence between you and the bellwether plaintiffs or counsel for the bellwether plaintiffs.

2. Any and all documents referencing referrals for revision or excision surgery in the case of a bellwether plaintiff including, but not limited to:

- a. Documents identifying the name of the physician to whom a bellwether plaintiff was referred;
- b. Documents identifying the date of surgery;
- c. A copy of the operative report;
- d. A copy of any and all correspondence between you and the physician to whom a bellwether plaintiff was referred; and
- e. A copy of any and all correspondence between you and a bellwether plaintiff or counsel for a bellwether plaintiff.

3. Any and all documents referencing mesh revision or excision surgery for any other woman who has filed or served a lawsuit against Ethicon and J&J with regard to Ethicon and J&J's female pelvic mesh products utilized for the treatment of stress urinary incontinence or pelvic organ prolapse, including those women with cases currently consolidated before the United States District Court for the Southern District of West Virginia (MDL No. 2327) as

identified in the attached Exhibit B (also referred to as “the patient”) including, but not limited to:

- a. A copy of any agreement to provide funding between you and the funding recipient;
- b. Documents referencing the amount of funds disbursed by you to the funding recipient to date;
- c. A copy of any and all correspondence between you and the funding recipient; and
- d. A copy of any and all correspondence between you and the patient or counsel for the patient.

4. Any and all documents referencing referrals for revision or excision surgery for any other woman who has filed or served a lawsuit against Ethicon and J&J with regard to Ethicon and J&J’s women’s pelvic mesh products utilized for the treatment of stress urinary incontinence or pelvic organ prolapse, including those women with cases currently consolidated before the United States District Court for the Southern District of West Virginia (MDL No. 2327) as identified in the attached Exhibit B (also referred to as “the patient”) including, but not limited to:

- a. Documents identifying the name of the patient;
- b. Documents identifying the name of the physician to whom the patient was referred;
- c. Documents identifying the date of surgery;
- d. A copy of the operative report;
- e. A copy of any and all correspondence between you and the physician to whom the patient was referred; and
- f. A copy of any and all correspondence between you and the patient or counsel for the patient.

5. Any and all documents referencing the physicians who have agreed or refused to take referrals for mesh revision or excision surgery from you, including, but not limited to:



Case 2:12-md-02327 Document 915-1 Filed 11/05/13 Page 9 of 9 PageID #: 10705

- a. Documents, including lists, identifying those physicians by name and address; and
- b. Documents identifying the number of cases you have referred to each physician.

Dated: Nov 5, 2013.

Respectfully submitted,

/s/Christy D. Jones  
Christy D. Jones  
Butler, Snow, O'Mara, Stevens &  
Cannada, PLLC  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
(601) 985-4523  
[Christy.jones@butlersnow.com](mailto:Christy.jones@butlersnow.com)

/s/ David B. Thomas  
David B. Thomas (W.Va. Bar #3731)  
Thomas Combs & Spann PLLC  
300 Summers Street  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
(304) 414-1807  
[dthomas@tcspllc.com](mailto:dthomas@tcspllc.com)

COUNSEL FOR DEFENDANTS  
ETHICON, INC. AND  
JOHNSON & JOHNSON

Case 2:12-md-02325 Document 855 Filed 08/30/13 Page 2 of 48 PageID #: 11786

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Western District of Texas (Austin)

\_\_\_\_\_  
*Plaintiff*

v.

IN RE: AMERICAN MEDICAL SYSTEMS, INC.  
PELVIC REPAIR SYSTEMS PRODUCTS LIABILITY\_\_\_\_\_  
*Defendant*

Civil Action No. MDL No. 2325

(If the action is pending in another district, state where:  
Southern District of West Virginia )SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: MedStar Funding  
7301 RR 620 North, Suite 155-344, Austin, TX 78726☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Exhibit A attached.

Place: REED SMITH LLP 2500 One Liberty Place, 1650 Market Street Philadelphia, PA 19103-7301	Date and Time:  09/16/2013 9:00 am
--	--

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

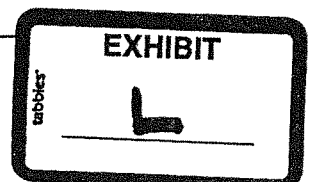
Place:	Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 08/30/2013

CLERK OF COURT

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*\_\_\_\_\_  
/s/ Barbara R. Binis  
*Attorney's signature*The name, address, e-mail, and telephone number of the attorney representing (name of party) Defendant  
AMERICAN MEDICAL SYSTEMS, INC., who issues or requests this subpoena, are:Barbara R. Binis; REED SMITH LLP, 2500 One Liberty Place, 1650 Market Street, Philadelphia, PA 19103-7301;  
bbinis@reedsmith.com; (215) 241-7948

Case 2:12-md-02325 Document 855 Filed 08/30/13 Page 3 of 48 PageID #: 11787

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. MDL No. 2325

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_ *Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)****(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

**(i)** At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

**(ii)** These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

**(i)** fails to allow a reasonable time to comply;

**(ii)** requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

**(iii)** requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

**(iv)** subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

**(i)** disclosing a trade secret or other confidential research, development, or commercial information;

**(ii)** disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

**(iii)** a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

**(i)** shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

**(ii)** ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

**(i)** expressly make the claim; and

**(ii)** describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Case 2:12-md-02325 Document 855 Filed 08/30/13 Page 5 of 48 PageID #: 11789

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: AMERICAN MEDICAL SYSTEMS, INC.  
PELVIC REPAIR SYSTEMS PRODUCTS LIABILITY  
LITIGATION

MDL No. 2325

-----  
THIS DOCUMENT RELATES TO ALL CASES

**EXHIBIT A TO SUBPOENA  
FOR PRODUCTION OF DOCUMENTS TO MEDSTAR FUNDING**

**INSTRUCTIONS**

For purposes of this Subpoena to Produce Documents, Information or Objects and the document requests contained herein, the term “document” includes all writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained. *See* Fed. R. Civ. P. 34(a).

If any responsive information, document or thing is withheld on the ground that it is privileged, that information, document or thing shall be described with sufficient particularity pursuant to Fed. R. Civ. P. 26(b)(5) (including date, author, recipient(s), subject matter, and factual and legal basis for privilege) to permit a determination as to whether respondent has demonstrated entitlement to and application for the protection invoked.

These instructions and definitions should be construed to require responses based upon the knowledge of, and information available to, the responding party as well as agents and representatives.

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These Requests include all documents and information in the possession, custody, or control, of you, your agents, and your representatives, including but not limited to your attorneys.

If you object to any of the definitions or instructions applicable to these Requests, state your objection in your response and clearly indicate whether you are complying with the definition or instruction, notwithstanding your objection.

For each document requested, produce the entire document, including all appendices, exhibits or other attachments.

For each document requested, produce all non-identical copies of a document. Any alteration of a document, including but not limited to any handwriting, underlining, highlighting, stamps, drafts, revisions or modifications, is a separate and distinct document and must be produced.

If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without disclosing the privileged materials. If a privilege is asserted with regard to part of the material contain in a document, you must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted, or altered in any fashion, you shall identify, as to each document, the reason for redaction or alteration, the date of redaction or alteration and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted documents.

If you object to any part of any Request, you shall produce all documents that are responsive to the portions of any of the Requests to which the objection does not apply.

You shall construe the request for a document to include a request for all copies, versions and drafts of the requested document, and all transmittal sheets, cover letters, enclosures or attachments relating to the requested document.

**DEFINITIONS**

- A. “AMS” shall mean American Medical Systems, Inc. and any of its directors, agents, servants, employees, or representatives.
- B. “Document” is synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a). A draft or non-identical copy is a separate document.
- C. “Funds” or “Funding” shall mean any offer of payment, compensation, and/or other incentive, including monetary or non-monetary benefits.
- D. “Identify” when referring to a person means to give, to the extent known, the person’s full name and present or last known address. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
- E. “Identify” when referring to documents means to give, to the extent known, the
1. type of document,
  2. general subject matter,
  3. author(s), addressee(s), and recipients(s), and
  4. date the document was prepared.
- F. “Person” means any natural person or any business, legal or governmental entity or association.



G. “You” and “Your” shall mean Medstar Funding and its employees, agents, officers, directors, members, shareholders, managers, partners, attorneys and any other individual acting or purporting to act on its behalf.

**DOCUMENTS TO BE PRODUCED**

1. Any and all documents referencing mesh revision or excision surgery in the case of Lisa Marie Fontes, Deborah Jilovec, Joann Serrano, and/or Mary Weiler including, but not limited to, the following documents:

- a. A copy of any agreement to provide funding between you and the funding recipient;
- b. Documents referencing the amount of funds disbursed by you to the funding recipient to date;
- c. A copy of any and all correspondence between you and the funding recipient; and
- d. A copy of any and all correspondence between you and Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler or counsel for Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler.

2. Any and all documents referencing referrals for revision or excision surgery in the case of Lisa Marie Fontes, Deborah Jilovec, Joann Serrano, or Mary Weiler including, but not limited to:

- a. Documents identifying the name of the physician to whom Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler was referred;
- b. Documents identifying the date of surgery;
- c. A copy of the operative report;
- d. A copy of any and all correspondence between you and the physician to whom Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler was referred; and

- e. A copy of any and all correspondence between you and Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler or counsel for Ms. Fontes, Ms. Jilovec, Ms. Serrano, or Ms. Weiler.

3. Any and all documents referencing mesh revision or excision surgery for any other woman who has filed a lawsuit against AMS with regard to AMS's female pelvic mesh products utilized for the treatment of stress urinary incontinence or pelvic organ prolapse, including those women with cases currently consolidated before the United States District Court for the Southern District of West Virginia (MDL 2325) as identified in the attached Exhibit B (also referred to as "the patient") including, but not limited to:

- a. A copy of any agreement to provide funding between you and the funding recipient;
- b. Documents referencing the amount of funds disbursed by you to the funding recipient to date;
- c. A copy of any and all correspondence between you and the funding recipient; and
- d. A copy of any and all correspondence between you and the patient or counsel for the patient.

4. Any and all documents referencing referrals for revision or excision surgery for any other woman who has filed a lawsuit against AMS with regard to AMS's women's pelvic mesh products utilized for the treatment of stress urinary incontinence or pelvic organ prolapse, including those women with cases currently consolidated before the United States District Court for the Southern District of West Virginia (MDL 2325) as identified in the attached Exhibit B (also referred to as "the patient") including, but not limited to:

- a. Documents identifying the name of the patient;
- b. Documents identifying the name of the physician to whom the was referred;
- c. Documents identifying the date of surgery;

- d. A copy of the operative report;
  - e. A copy of any and all correspondence between you and the physician to whom the patient was referred; and
  - f. A copy of any and all correspondence between you and the patient or counsel for the patient.
5. Any and all documents referencing the physicians who have agreed or refused to take referrals for mesh revision or excision surgery from you, including, but not limited to:
- a. Documents, including lists, identifying those physicians by name and address; and
  - b. Documents identifying the number of cases you have referred to each physician.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

IN RE: C. R. BARD, INC. PELVIC REPAIR                      MDL No. 2187  
SYSTEMS PRODUCTS LIABILITY

IN RE: AMERICAN MEDICAL SYSTEMS,                      MDL No. 2325  
INC. PELVIC REPAIR SYSTEMS PRODUCTS  
LIABILITY

IN RE: BOSTON SCIENTIFIC CORP. PELVIC                      MDL No. 2326  
REPAIR SYSTEMS PRODUCTS LIABILITY

IN RE: ETHICON, INC. PELVIC REPAIR                      MDL No. 2327  
SYSTEMS PRODUCTS LIABILITY

IN RE: COLOPLAST CORP. PELVIC REPAIR                      MDL No. 2387  
SYSTEMS PRODUCTS LIABILITY

Honorable Joseph R. Goodwin  
United States District Court Judge

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THIS DOCUMENT APPLIES TO ALL CASES

**CERTIFICATE OF SERVICE**

I, James S. Crockett, Jr., do hereby certify that on January 24, 2014, I electronically filed the foregoing “**Emergency Motion for Protective Order**” with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ James S. Crockett, Jr. \_\_\_\_\_  
James S. Crockett, Jr. (WV State Bar No. 9229)